



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David Hornstein
Serial No. : 09/543,868
Filed : April 5, 2000
Title : AESTHETIC PROFILE COLLECTION

Art Unit : 3629
Examiner : Debra F. Charles

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT IN REPLY TO ACTION OF NOVEMBER 10, 2005

Please amend the above-identified application as follows:

REMARKS

This Reply is submitted in reply to the Restriction Requirement made in the Office Action dated November 10, 2005. Applicant traverses this requirement as being procedurally improper. The examiner required restriction as follows:

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-23 are drawn to a method for selecting products that occurs over a networked computer system, by producing a profile of a user based on responses to questions presented to the user.

II. Claims 24-26 are drawn to a method executed on a computing device for determining a product profile of a product.

III. Claims 27-34 are drawn to a computer-implemented method for selecting products that occurs over a networked computer system, by combining the two different profiles of a user to create a composite profile.

2. The inventions are distinct from the other because of the following reasons:

Inventions I-III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. These combinations are independent if it can be shown that (1) they are not disclosed as capable of use together, (2) they have

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 15, 2005

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